STATE OF NEW YORK

5190

2019-2020 Regular Sessions

IN SENATE

April 15, 2019

Introduced by Sen. FUNKE -- read twice and ordered printed, and when printed to be committed to the Committee on Consumer Protection

AN ACT to amend the general business law, in relation to a cap on the amount which rental vehicle companies may charge for refueling of a rental vehicle

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. Subdivision 10 of section 396-z of the general business law is amended by adding a new paragraph (b-1) to read as follows:

(b-1) A rental vehicle company that charges for the refueling of a rental vehicle, pursuant to paragraph (b) of this subdivision, shall only charge the renter for the amount of gas that was necessary to return the fuel tank to the amount of fuel that was in the tank at the beginning of the rental. The renter shall not be charged for such gas at a rate exceeding one hundred twenty-five percent of the regional average market value of gas as published by the United States energy and information administration. Where a rental vehicle company has violated the provisions of this paragraph, the attorney general may commence a special proceeding pursuant to subdivision thirteen of this section, and in any such proceeding the court shall impose a civil penalty in an amount not to exceed twenty-five thousand dollars and, where appropriate, order restitution to aggrieved renters.

§ 2. Subdivision 9 of section 396-z of the general business law is amended by adding a new paragraph (b-1) to read as follows:

(b-1) A rental vehicle company that charges for the refueling of a rental vehicle, pursuant to paragraph (b) of this subdivision, shall only charge the renter for the amount of gas that was necessary to return the fuel tank to the amount of fuel that was in the tank at the beginning of the rental. The renter shall not be charged for such gas at a rate exceeding one hundred twenty-five percent of the regional average market value of gas as published by the United States energy and infor-

EXPLANATION--Matter in *italics* (underscored) is new; matter in brackets [-] is old law to be omitted.

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mation administration. Where a rental vehicle company has violated the provisions of this paragraph, the attorney general may commence a special proceeding pursuant to subdivision twelve of this section, and in any such proceeding the court shall impose a civil penalty in an amount not to exceed twenty-five thousand dollars and, where appropriate, order restitution to aggrieved renters.

§ 3. This act shall take effect immediately, provided that the amendments to subdivision 10 of section 396-z of the general business law made by section one of this act shall be subject to the expiration and reversion of such section pursuant to subdivision (a) of section 4 of chapter 109 of the laws of 2018, as amended, when upon such date the provisions of section two of this act shall take effect.